

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 H-01 L-03 SS-15 CPR-01
SCS-06 CA-01 VO-05 EB-08 DODE-00 AGRE-00 ICA-11
LAB-04 ACDA-12 OES-07 PER-01 /102 W
-----013426 040210Z /70

R 040122Z MAY 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 1040
INFO AMEMBASSY LONDON
AMEMBASSY BRUSSELS
AMEMBASSY ROME
AMEMBASSY VIENNA
USMISSION GENEVA
AMCONSUL MONTREAL

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E.O. 11652: N/A
TAGS: UN, AORG, IMCO, FR
SUBJECT: EMPLOYMENT OPPORTUNITIES FOR EMBASSY DEPENDENTS IN FRANCE

REF: (A) PARIS 13129, (B) STATE 68340

1. SUMMARY: ALTHOUGH IT IS THEORETICALLY POSSIBLE FOR THE DEPENDENTS OF EMBASSY PERSONNEL TO OBTAIN EMPLOYMENT LOCALLY IN FRANCE (UPON A WAIVER OF THEIR DIPLOMATIC OR SPECIAL STATUS), IN PRACTICE THE REQUIRED WORK PERMITS ARE UNOBTAINABLE. END SUMMARY.

2. LOCAL EMPLOYMENT OPPORTUNITIES FOR DEPENDENTS OF EMBASSY PERSONNEL IN FRANCE ARE ALL BUT NONEXISTENT. IN PART THIS IS ATTRIBUTABLE TO THE DEPARTMENT'S OWN
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REGULATIONS, WHICH MUST LIMIT THE FIELDS OF ACTIVITY OPEN TO DEPENDENTS SO AS TO EXCLUDE CONFLICT OF INTEREST SITUATIONS. HOWEVER, IT IS FRENCH GOVERNMENT POLICY AND PRACTICE WHICH IS THE REAL OBSTACLE FACING MOST DEPENDENTS WHO WOULD LIKE TO GET JOBS IN FRANCE.

3. THIS SITUATION IS COMPLEX, AND REQUIRES SOME EXPLANATION. UPON ARRIVAL, ALL DEPENDENTS, LIKE THEIR SPONSORS, ARE REGISTERED WITH THE FOREIGN MINISTRY AND GIVEN SPECIAL MINISTRY IDENTITY CARDS. THESE PAPERS ARE MARKEDLY DIFFERENT FROM THOSE ISSUED BY THE POLICE TO OTHER RESIDENT ALIENS, AND TO CITIZENS.

4. SHOULD A DEPENDENT DECIDE TO TRY TO OBTAIN LOCAL EMPLOYMENT, CONSISTENT WITH USG REGULATIONS AND EMBASSY PROCEDURES, HE OR SHE IS IMMEDIATELY CONFRONTED WITH THE ELABORATE WORK PERMIT PROCEDURES APPLICABLE TO NON-EEC NATIONALITY FOREIGNERS IN FRANCE (THE EEC HAS A COMMON LABOR MARKET).

A. TO WORK IN FRANCE, A FOREIGNER MUST HAVE A WORK PERMIT ISSUED BY THE MINISTRY OF LABOR. THIS PERMIT CAN BE ISSUED ONLY TO THOSE FOREIGNERS WHO HOLD VALID POLICE IDENTITY PAPERS AND RESIDENCE PERMITS (AND NOT FOREIGN MINISTRY IDENTITY CARDS) AND WHO ARE SEEKING OR BEING PROPOSED FOR POSITIONS THAT ARE EITHER EXECUTIVE (APPARENTLY ANY JOB PAYING FF 8,000 (\$1700) PER MONTH OR MORE AUTOMATICALLY QUALIFIES) IN A FIRM ESTABLISHED HERE; OR FOR WHICH THE NATIONAL EMPLOYMENT SERVICE CERTIFIES THAT NO QUALIFIED JOB-SEEKING CITIZENS OR RESIDENT COMMON LIMITED OFFICIAL USE

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MARKET NATIONALS ARE AVAILABLE. THE INTENT OF THESE REGULATIONS IS TO LIMIT EMPLOYMENT OPPORTUNITIES TO FRENCH AND EEC NATIONALS, WITH EXCEPTIONS POSSIBLE FOR CORPORATIVE EXECUTIVES (OR OTHER VERY SPECIAL CASES), AND THE REGULATIONS ARE ADMINISTERED IN ACCORDANCE WITH THEIR INTENT.

B. THIS MECHANISM IS REINFORCED BY THE SOCIAL SECURITY TAX PROCEDURES. UNDER THIS SYSTEM, ALL EMPLOYERS PAY A TAX, AVERAGING 40 PERCENT OF EACH MONTHLY SALARY OF EVERY EMPLOYEE. THESE TAXES ARE STRICTLY ENFORCED AND, WHEN PAID, ARE KEYED TO EACH EMPLOYEE'S SOCIAL SECURITY ACCOUNT NUMBER. NO FOREIGNER WITHOUT A WORK PERMIT CAN OBTAIN SUCH AN ACCOUNT NUMBER; AND, THUS, EVEN IF AN EMPLOYER DOES NOT CHECK ON THE WORK PERMIT STATUS OF AN EMPLOYEE, THE AUTHORITIES WILL SOON NOTE AND INQUIRE INTO THE STATUS OF AN EMPLOYEE ON WHOM TAXES ARE BEING PAID BUT WHO HAS EITHER NO SOCIAL SECURITY ACCOUNT NUMBER, OR A FICTITIOUS ONE. (WE HAVE REASON TO BELIEVE THAT AT LEAST ONE DEPENDENT, UNAWARE OF THE RULES, HAS GOTTEN A JOB WITH AN INCAUTIOUS EMPLOYER AND IS

NOW THE SUBJECT OF JUST SUCH AN INQUIRY.)

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C. AS A CONSEQUENCE, FOR THE FOREIGNER
WITHOUT A WORK PERMIT IN FRANCE, THE ONLY KIND OF
EMPLOYMENT POSSIBILITIES ARE ILLEGAL ONES, INVOLVING
DIRECT CASH PAYMENTS.

5. EMBASSY DEPENDENTS SEEKING WORK CANNOT EVEN BEGIN
TO ENTER THIS UNPROMISING MAZE AS LONG AS THEY RETAIN
THEIR DIPLOMATIC OR OTHER SPECIAL STATUS AND IDENTITY
PAPERS. UNDER THE PROCEDURES ESTABLISHED BY THE
FOREIGN MINISTRY, SUCH DEPENDENTS MUST FIRST WAIVE
THEIR SPECIAL STATUS AND TURN IN THEIR FOREIGN
MINISTRY IDENTITY CARDS. THEY MUST THEN REGISTER WITH
THE POLICE AND APPLY FOR NORMAL IDENTITY CARDS
AND RESIDENCE PERMITS. ONCE THESE ARE OBTAINED THE
DEPENDENTS ARE FREE TO PURSUE THE PRESCRIBED PRO-
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CEDURES JUST LIKE OTHER NON-EEC FOREIGNERS LEGALLY
RESIDENT IN FRANCE. A FEW DEPENDENTS HAVE TRIED,
AND NONE HAVE BEEN SUCCESSFUL IN OBTAINING WORK
PERMITS.

6. IN PART THIS SITUATION IS A RESULT OF THE BUILT-IN
COMPLEXITIES AND HURDLES OF THE PROCEDURES THEMSELVES,
AND THE LACK OF ANY SPECIAL SKILLS WHICH MIGHT QUALIFY
THE DEPENDENTS FOR SPECIAL EXEMPTIONS. (ENGLISH,
FOR EXAMPLE, IS NOT A SPECIAL SKILL IN A COUNTRY WITH
LARGE NUMBERS OF RESIDENT UK AND IRISH CITIZENS.)
HOWEVER, THE ATTITUDE OF THE FOREIGN MINISTRY ITSELF
ALSO SEEMS TO PLAY A ROLE IN THE ACTUAL WORKINGS OF
THE LOCAL ADMINISTRATIVE PROCESSES (WHICH ARE NOT
MARKED BY AMERICAN STYLE CONCERN WITH DUE PROCESS
RIGHTS). THE MINISTRY HAS LET US KNOW THAT IT REGARDS
JOB-SEEKING ON THE PART OF EMBASSY DEPENDENTS AS SOME-
THING UNDESIRABLE, WHICH IS CERTAINLY "NOT DONE" IN
THE FRENCH SERVICE. (IT WOULD SEEM, HOWEVER, THAT
WORKING BY SOME DIPLOMATIC DEPENDENTS IS LESS UN-
DESIRABLE THAN BY OTHERS: WE KNOW OF BRITISH EMBASSY
DEPENDENTS WHO HAVE OBTAINED JOBS LOCALLY, ONE EVEN
WORKING FOR THE LOUVRE.)

7. GIVEN THE CONTINUING UNEMPLOYMENT PROBLEMS IN
FRANCE, AND THE MAGNETIC ATTRACTION PARIS HAS FOR
PEOPLE ALL AROUND THE WORLD, THERE IS LITTLE LIKELI-
HOOD THAT THE SITUATION WILL CHANGE IN THE FORESEEABLE
FUTURE.
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